



MEMORANDUM OF COOPERATION

between the National Highway Traffic Safety Administration of the

Department of Transportation of the United States of America

AND

The National Development and Reform Commission of the

People's Republic of China

This Memorandum of Cooperation (hereinafter referred to as the Memorandum) is entered between the National Highway Traffic Safety Administration of the United States Department of Transportation and the National Reform and Development Commission of the People's Republic of China (hereinafter referred to as Participants).

Noting the cooperation between the United States of America and the People's Republic of China in the areas of Science and Technology;

Taking note of the Agreement between the Government of the People's Republic of China and the Government of the United States of America on Cooperation in Science and Technology signed in Washington, D.C., in January 31, 1979, and renewed on April 25, 2001;

Recognizing the importance of each Participant achieving high levels of health, safety, environmental and consumer protection; and

Desiring to enhance cooperation and increase the efficient use of resources in matters relating to motor vehicle technical regulation and safety without compromising each Participant's ability to carry out its responsibilities;

The Participants declare their intention to cooperate as follows:

Article I Purpose

The purpose of this Memorandum is to strengthen cooperation and communication, including the exchange of information, between the Participants concerning improvements and other developments in the areas of motor vehicle technical regulation and safety.

Article II

Areas of Cooperation

The Participants intend that cooperation under this Memorandum may be conducted in the following areas:

1. Development and establishment of technical regulations or related standards;
2. Post-implementation reviews of technical regulations or related standards;
3. Development and dissemination of consumer information;
4. Certification and enforcement, including the identification of safety-related defects and noncompliances with technical regulations; and
5. New Car Assessment Program.

Article III

Forms of Cooperation

The Participants intend to maintain an open and continuing dialogue in the areas of motor vehicle technical regulation or related standards, safety and fuel economy:

1. The Participants intend, at a minimum, to hold annual meetings (including exchange meeting on special topic and the exchange held during WP29 meeting). The comprehensive meetings may be held, on an alternating basis, in the United States or the People's Republic of China.
2. The Participants may share information regarding domestic and international programs and agendas.
3. The Participants may jointly contribute to encouraging and promoting greater international harmonization of technical requirements, consistent with the respective motor vehicle safety and fuel economy needs and authority of the Participants, through multilateral forums such as the World Forum for the Harmonization of Vehicle Regulations (WP.29).
4. The Participants may share and discuss research and development plans in the areas of motor vehicle technical regulation and safety.
5. The Participants may cooperate in field of motor vehicle fuel economy in areas of mutual interest.
6. The Participants may conduct joint analyses, as mutually beneficial, practical and convenient, to assist in the development of motor vehicle safety and fuel economy standards.

7. The Participants may exchange experts to conduct research, studying and training related to the development of motor vehicle safety and fuel economy standards.
8. The Participants may serve as liaisons with governmental and non-governmental entities in their respective countries.
9. The Participants may develop additional provisions for cooperation.

It is the mutual understanding of the Participants that the pace of cooperative efforts under this Memorandum may depend on the respective internal circumstances in the United States and the People's Republic of China and may be affected by factors, such as differences or divergences of regulatory and standard priorities, availability of funds, and any unforeseen difficulties that may arise during the course of this cooperation.

All Activities under this Memorandum should be conducted under the guidance of the U.S.-PRC Joint Commission on Scientific and Technological Cooperation.

Article IV Funding

Pursuits of cooperative activities under this Memorandum are subject to the availability of appropriated funds to each of the Participants. Funds will not be transferred between the Participants pursuant to this Memorandum.

Article V Limitation

Cooperative activities undertaken under this Memorandum, including exchange of information, are subject to the applicable laws, regulations, policies and procedures of each of the Participants.

Article VI Disclaimer


Each Participant intends to make every effort to ensure the accuracy of all data and information exchanged pursuant to this Memorandum. However, the accuracy of such data and information is not guaranteed. Therefore, each Participant uses the other's data at its own risk.

Article VII Duration

The activities under this Memorandum may commence upon the date of the signature below of both Participants. The Memorandum may be modified only in writing by both Participants and may be terminated upon 60 days written notice by either Participant. Any differences concerning the interpretation or implementation of this Memorandum shall be resolved through consultation between the participants.

Signed in sextuplicate at Washington on this 12th day of September, 2007, and at Beijing on this 7th day of September in the English language (in triplicate) and Chinese language (in triplicate) respectively.

For National Highway Traffic
Safety Administration of the
United States Department of Transportation



NHTSA Administrator Nicole R. Nason

For the National Development and Reform
Commission of the People's Republic of
China



Vice Chairman of NDRC Zhang Guobao



中华人民共和国国家发展和改革委员会

与

美利坚合众国运输部国家公路交通安全管理局

合作备忘录

本合作备忘录（以下简称为备忘录）在中华人民共和国国家发展和改革委员会与美利坚合众国运输部国家公路交通安全管理局（以下简称合作双方）之间达成。

注意到中华人民共和国与美利坚合众国在科技领域开展的合作；

注意到中华人民共和国政府与美利坚合众国政府于 1979 年 1 月 31 日在华盛顿签署的并于 2001 年 4 月 25 日更新的科技合作协议；

承认合作各方实现高水平的健康、安全、环保和消费者保护的重要性；以及

在不削弱行使各自职能的能力的情况下，出于加强在机动车辆技术法规和安全事务方面的合作和提高资源利用效率的愿望；

合作双方声明合作意向如下：

第1章 目的

本备忘录的目的为在机动车辆技术法规和安全性领域的改善和其它发展方面加强双方之间的合作和交流,包括信息交换。

第2章 合作领域

在本备忘录框架下,合作双方可在以下领域开展合作:

1. 完善和制定技术法规或有关标准;
2. 技术法规或有关标准实施后审查;
3. 消费者信息的制定和发布;
4. 认证及实施,包括确定与安全有关的缺陷和与技术法规的不符合性;以及
5. 新车评价计划

第3章 合作形式

合作双方计划在机动车辆技术法规或有关标准和安全性领域、燃料经济性领域保持公开、持续的对话。

1. 合作双方计划至少每年召开一次会议(包括专项交流和在WP29会议期间的交流)。综合性交流会议可轮流在中华人民共和国或美利坚合众国举行。
2. 合作双方可分享关于国内和国际规划和议题的信息。
3. 合作双方可以,根据各自在机动车辆安全和燃料经济性领域的需要和权限,通过诸如世界车辆法规协调论坛(WP29)这样的多边论坛,共同鼓励和推动技术要求更深入的国际

协调。

4. 合作双方可以分享和讨论在机动车辆技术法规 and 安全性领域的研究和发展计划。
5. 合作双方可以在共同感兴趣的范围内，在机动车辆燃料经济性领域进行合作。
6. 合作双方可在互惠、务实和方便的条件下，进行联合分析，以协助机动车辆安全和燃料经济性标准的制定。
7. 合作双方可以互派专家开展有关机动车辆安全和燃料经济性标准制定的研究、学习和培训。
8. 合作双方可以承担与各自国家政府和非政府机构的联络。
9. 合作双方可以制定附加合作规定。

双方都知道，在本备忘录框架下所开展的合作的进程取决于中华人民共和国和美利坚合众国各自的国内形势，并且会受到各种因素的影响，例如在法规和标准重点项目上的差异或分歧，资金情况以及在合作过程中可能会出现的任何不可预见的困难。

在本备忘录框架下开展的所有活动应在中-美科技合作联合委员会的指导下进行。

第4章 资金

在本备忘录框架下开展的合作活动取决于合作各方是否具备适当的资金。根据本备忘录的规定，合作双方不互相提供资金。

第5章 法律限定

在本备忘录框架下开展的合作活动，包括信息交换，应遵守合作双方各自国内的适用法律、法规、政策和程序。

第6章 免责声明

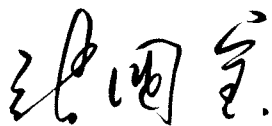
合作双方应尽可能确保根据本备忘录提供的所有数据和信息的准确性。然而，不保证这些数据和信息的准确性。因此，合作双方自行承担使用对方提供的数据带来的风险。

第7章 合作期限

自签字之日起，合作双方可以在本备忘录框架下开展活动。对本备忘录的修改只能以书面形式由合作双方共同进行，并且在一方接到另一方书面通知 60 日后，本备忘录可终止。任何在对本备忘录的理解或执行上存在的分歧应由合作双方协商解决。

本备忘录于 2007 年 9 月 7 日在北京；2007 年 9 月 12th 日在华盛顿签署，一式六份，分别使用汉语（三份）和英语（三份）。

中华人民共和国
国家发展和改革委员会



副主任 张国宝

美利坚合众国运输部
国家公路交通安全管理局



局长 尼科尔·内森